

### **REMARKS**

The specification has been amended at pages 6 and 7 to insert reference number "24" after the element identified in Figures 1, 2 and 3. Support for this amendment can be found in Claim 9 of the priority application, already of record.

The present invention relates to a device useful for production of plastic moldings reinforced with long fibers (20) and to a process for the production of such reinforced plastic moldings. The claimed device requires (a) a bearing seat (1) for coils (2) of continuous thread (3) or rovings ; (b) a guide (5) for the continuous thread (3) or rovings which leads the thread from (a) to a movement controlled introducing device (7, 34) and ends at a cutting unit (12); (c) the movement controlled introducing device (7, 34) for introducing a liquid stream (21) which forms a solid plastic with long fibers; (d) the cutting unit (12); and (e) a conveying device (13) on the cutting unit (12). The guide (b) must include (f) a rigid pipeline system (6) having at least one tensioning air inlet (23) directed against the conveying for pneumatic tensioning of the continuous thread (3) or roving.

In response to a restriction requirement under 35 U.S.C. § 121, Applicants elected to prosecute Claims 5-12. Applicants confirm this election. Non-elected Claims 1-4 will be cancelled upon receipt of an indication that Claims 5-12 are in condition for allowance.

The drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) on the basis that the drawings included reference numeral "24" but the specification did not mention this reference numeral. Applicants believe that the amendments to the specification made herein remove the basis for this objection.

More specifically, the specification has been amended at pages 6 and 7 to insert the reference number "24" after the component to which that reference number identifies, i.e., "pipe bends".

Withdrawal of this objection is therefore requested.

The specification was objected to on the basis that the Title would not be properly descriptive if non-elected Claims 1-4 were cancelled and only Claims 5-12 were allowed.

Applicants will amend the Title of this application upon receipt of a notice that Claims 5-12 are in condition for allowance.

Claims 5, 7, 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buckley (U.S. Patent 5,338,169) in view of Castelli (U.S. Patent 3,669,328). Applicants respectfully traverse this rejection.

Buckley discloses an apparatus for making preforms in which binder is sprayed on to fibers as those fibers are fed to a mat forming means. In the disclosed device, a chopper receives roving from spools via a tube mounted on an arm and binder is supplied to a spray nozzle via a conduit.

As noted in the Office Action, Buckley does not teach or suggest the rigid pipeline system for tensioning of the continuous thread or roving which is required in Applicants' claimed invention.

Applicants would further note that Buckley does not teach or suggest the conveying device (13) on the cutting unit required in their invention. Nor does Buckley discuss discontinuance of the chopping of the roving when the mold is filled and moved. In fact, Buckley is silent with respect to the looping problem addressed by Applicants' claimed invention.

Applicants would further note that the types of molded articles and fibers being produced by Buckley are different from those produced by Applicants' apparatus. More specifically, Applicants' invention is directed to production of plastic articles reinforced with **long** fibers. Buckley produces preforms from short fibers coated with an electromagnetic radiation-curable binder.

Castelli discloses a yarn feeding and tensioning apparatus in which the yarn is guided through a hollow member supplied with compressed air.

Castelli is cited for its teaching of a rigid pipeline system.

Castelli does not, however, teach or suggest the conveying device (13) on the cutting unit required in Applicants' claimed invention.

One skilled in the art attempting to combine the teachings of Buckley and Castelli in the manner suggested in the Office Action would not therefore "arrive at" Applicants' claimed invention because neither reference discloses the conveying device (13) required in the claimed invention.

An invention which requires a feature that is not taught or suggested by the prior art can not be rendered obvious by that prior art. Applicants' claimed invention which requires a conveying device (13) attached to the cutter is not therefore

rendered obvious by the combined teachings of Buckley and Castelli which do not include such a conveying device attached to the cutter.

Withdrawal of this rejection is therefore requested.

Claims 5, 7, 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buckley (U.S. Patent 5,338,169) in view of Peat et al (G.B. 1,469,533). Applicants respectfully traverse this rejection.

The Buckley reference has already been discussed above in response to the previous rejection under 35 U.S.C. § 103(a). This discussion will not be repeated.

Peat et al discloses a tensioning and/or slack take-up device for flexible material in sheet or thread form.

Peat et al is relied upon for its teaching of the rigid pipeline system "missing" from the teachings of Buckley.

Peat et al does not, however, teach or suggest the conveying device (13) attached to a cutter which is also "missing" from the teachings of Buckley.

Neither Buckley nor Peat et al teaches or suggests the conveying device (13) required in Applicants' claimed invention. The teachings of these references can not therefore be combined in any manner which would render Applicants' claimed invention obvious.

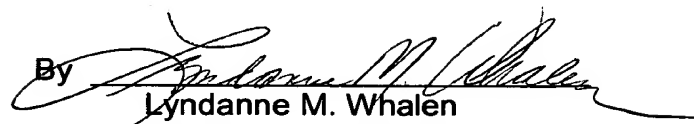
Withdrawal of this rejection is therefore respectfully requested.

The Morrison et al (U.S. Patent 6,251,185), Montsinger (U.S. Patent 5,447,793), Kelman (U.S. Patent 5,536,341), Dahl et al (U.S. Patent 6,497,566), Dahl et al (U.S. Patent 6,527,533), Dahl et al (U.S. Patent 6,540,495) and Montsinger (U.S. Patent 6,604,927) disclosures which were cited but appropriately not applied have been noted.

It is noted with appreciation that Claims 6, 8-9 and 12 would be allowable if rewritten in independent form. These claims have not been rewritten at this time because Applicants believe that rejected base Claims 5 and 7 are patentable over the cited prior art.

In view of the above amendment and remarks, reconsideration and allowance of Claims 5-12 are respectfully requested.

Respectfully submitted,

By   
Lyndanne M. Whalen  
Attorney for Applicants  
Reg. No. 29,457

Bayer Polymers LLC  
100 Bayer Road  
Pittsburgh, Pennsylvania 15205-9741  
PHONE: (412) 777-3843  
FACSIMILE PHONE NUMBER:  
412-777-3902  
s/rmc/lmw/0296